

COMMITTEE AMENDMENT FORM

DATE: 10/31/07

COMMITTEE ZONING

PAGE NUM. (S)

ORDINANCE I. D. #07-O-1919

SECTION (S)

RESOLUTION I. D. #07-R-

PARA.

AMENDS THE LEGISLATION BY ADDING FIFTEEN (15) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING AUGUST 2, 2007.

AMENDMENT DONE BY COUNCIL STAFF 10/31/07

City Council
Atlanta, Georgia

07-O-1919

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-93
Date Filed: 8-2-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **38 Peachtree Avenue, N.E.**, be changed from the RG-2 (Residential General-Sector 2) District to the RG-3-C (Residential General-Sector 3- Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 100, 17th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

CONDITIONS FOR Z-07-93 for 38 Peachtree Avenue, N.E.

1. Site Plan Specific Zoning

The project, including without limitation, all improvements to be located thereon, shall be developed in accordance with that certain attached zoning site plan for 34, 36 and 38 Peachtree Avenue prepared by Harrison Design Associates dated April 26, 2007 and received by the Bureau of Planning on August 2, 2007 (the "Site Plan"). The Site Plan shall reflect the total number of town home units, the floor area ratio, vehicular ingress and egress parking layout and the location of HVAC compressors.

The maximum number of units shall be sixteen (16) with a maximum of three-stories for the overall site. The number of units to be constructed on 38 Peachtree Road shall be six (6). The maximum floor area ratio for the entire site shall be 0.696. Vehicular ingress and egress shall occur only via Peachtree Avenue. A total of 52 parking spaces shall be provided as follows: a) garage units = 48 spaces and b) surface/guest parking = 4 spaces.

The Site Plan shall note that dumpsters will not be allowed and that each townhome unit will have individual wheeled garbage containers, as approved by the Department of Public Works.

2. Appearance and Height of Buildings

The buildings constructed on the Property shall be designed and developed substantially in accordance with the attached front and rear elevation renderings by Harrison Design Associates labeled Proposed Front Elevation and Proposed Elevation (Rear), dated 9/25/07, both in architecture and in scale. The exterior facades of the buildings facing Peachtree Avenue shall be similar in design to the attached Front Elevation of Lot 34, 36 and 38 by Harrison Design Associates, dated 9/25/07, and shall include detail similar to that shown in the Proposed Peachtree Avenue Elevation (Side) by Harrison Design Associates dated 9/25/07 and also attached.

3. Tree Recompense

Should it be necessary to remove any trees for which recompense is required by the City of Atlanta Tree Ordinance and subject to the approval of the City of Atlanta Bureau of Buildings (City Arborist), the developer shall use its best efforts to arrange for tree recompense to be paid directly to the Association for trees to be planted within the Garden Hills community. Such payment would be in lieu of paying tree recompense to the City of Atlanta and is subject to approval by the City. Evidence of the developer's efforts will be provided to the Bureau of Planning.

4. Gates, Walls and Fences

The project shall not be gated. As shown on the Site Plan and on the attached Proposed Front Elevation by Harrison Design Associates, dated 9/25/07, there shall be four (4) stone or brick retaining walls facing Peachtree Avenue on each side of each entrance to the project. The retaining walls shall average no more than four (4) feet in height above the average grade and shall not exceed eight (8) feet at any point. The retaining walls shall be screened with landscaping. Fences along the eastern, western and northern property lines shall be no more than eight (8) feet in height in accordance with Zoning Ordinance § 16-28.008(5)(b).

5. Lighting

The lighting within the project shall be designed to be residential in nature and shall not cause any perceptible lighting spill onto adjacent residential properties. Project lighting shall include gas lanterns at the front door of each unit and electrical wrought iron-look lanterns at each garage. The Homeowners Association documents shall prohibit residents from installing floodlights on their homes in such a manner as to cause lighting spill onto adjacent properties.

6. HVAC Compressors

HVAC Compressors (condensing units) shall be installed on the roof of each townhouse. Evidence of a prohibition on the installation of HVAC equipment anywhere on the Property except for the roofs shall be provided to the Bureau of Planning prior to issuance of a building permit.

7. Construction Traffic Access

Construction traffic shall access the subject property and Peachtree Avenue from the west via Peachtree Road and not otherwise through the Garden Hills neighborhood.

8. Construction Work Hours

For construction activities that general noise as defined in City of Atlanta Noise Control Ordinance § 74-137.4, working hours on the subject property shall be restricted to the following:

Weekdays:	7:00am – 7:00pm
Saturdays:	9:00am – 7:00pm
Sundays:	12:00pm – 6:00pm

9. Construction Trash

During construction of the project, the developer shall ensure that there are trash cans on the subject property which are emptied on a regular basis and that the site be kept as tidy as possible.

10. Street Cleaning During Construction

During construction of the project, the developer shall sweep the street regularly and pick up any debris or spills promptly.

11. Construction Issues Contact

During construction of the project, the Developer shall notify the neighboring property owners of a contact name and telephone number which shall be answered 24 hours a day, 7 days a week regarding disturbances from the construction.

12. Construction Fencing and Parking of Construction Vehicles

During the land development and early construction phase, the site shall be fenced with a 6-foot high chain link fence with fabric screening. As soon as site conditions allow and excluding such limited times when development activities preclude use of the entrances or the site (such as storm drainage control installation or hardscape installation), workers'

vehicles, delivery vehicles and construction equipment and vehicles shall be parked solely within the development (i.e. no parking or staging on Peachtree Avenue). All building materials shall be staged solely within the development.

13. Exterior Materials

The exterior façades (all four sides) of each townhome shall be constructed substantially of brick or stone.

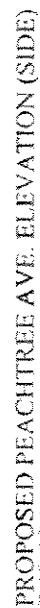
14. Demolition

The Developer shall not be granted a demolition permit by the City (or otherwise demolish the existing improvements) unless and until (i) the Developer has received from the City a building permit to construct the foundation of the new structure, and (ii) the Developer has presented to the Department of Planning (with a copy to the Association President) written evidence that Developer's construction lender is prepared to immediately fund a construction loan for the project.

15. Lot Consolidation

Upon approval of the Application, the Developer shall consolidate the lots currently known as 34, 36 and 38 Peachtree Avenue into one lot.

pag 184



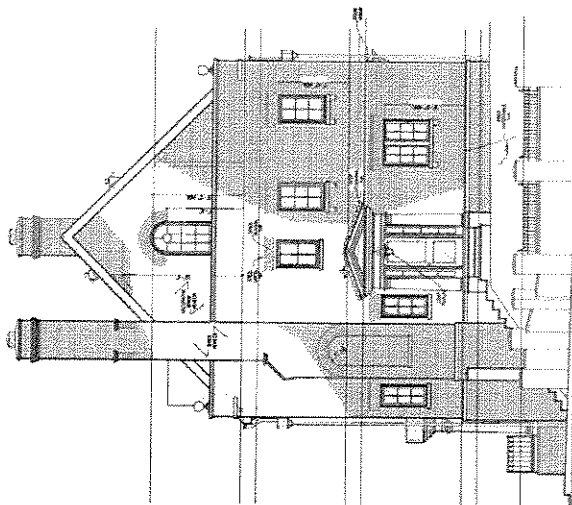
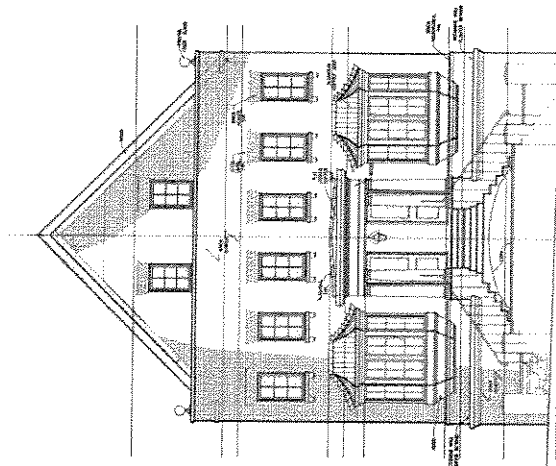
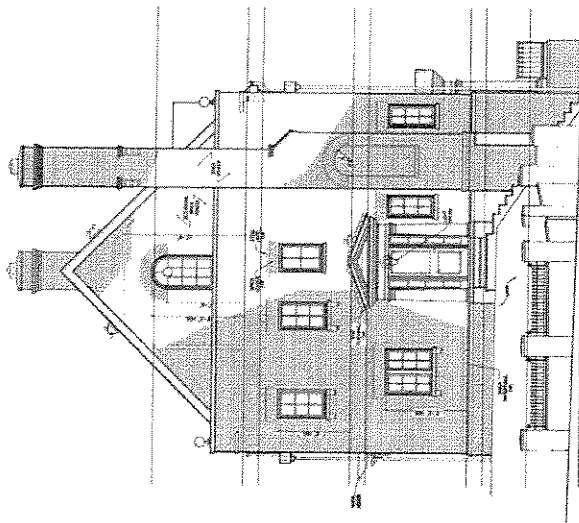
2000

Journal of Management Inquiry 22(1)

Coastlines Avenue, Atlanta, GA



Elevations pg 2 of 4



1 FRONT ELEVATION OF LOT 2A, 2B, & 2C
AS SHOWN ON PLAT

9/25/07

BROWN STONES ON PEACHTREE
ATLANTA, GEORGIA

HARRISON
BROWN
ARCHITECTS
P.C.

Elevation pag-394



PROPOSED FRONT ELEVATION
SCALE: 1/8" = 1'-0"

A-1.02
07/20/17
PROJECT: 140

Peachtree Avenue Brownstones, LLC
2425 Peachtree Avenue, Atlanta, GA

HAYDON
HAYDON
ARCHITECTS

Elevations page 4 of 4



PROPOSED ELEVATION (REAR)
SCALE: 1/4" = 1'-0"

A-1.04
9/25/07
2005.07.1.047

Peachtree Avenue Brownstones, LLC
Peachtree Avenue, Atlanta, GA

Hogden
Brown
Associates
Architects